

Amendments to the Drawings:

The attached sheets of drawings include changes to Figs. 1A to 1E. These sheets which include Figs. 1A to 1C and Figs. 1D to 1E, respectively, replace the original sheets including Figs. 1A to 1C and Figs. 1D to 1E, respectively. The term “Prior Art” has been added to each sheet of drawings.

Attachment: Replacement Sheets
Annotated Sheet Showing Changes

REMARKS

Applicant respectfully requests reconsideration and allowance in view of the following remarks. In the Office Action, claims 46-47, 50-54 and 64 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,550,925 to Hori et al. ("Hori") and claims 48-49 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hori in view of U.S. Patent No. 5,170,437 to Strahm ("Strahm"). Applicant respectfully traverses the rejections for at least the reasons provided below.

Allowable Subject Matter

Applicant initially thanks the Examiner for acknowledging the allowable subject matter in the claims. In the Office Action, claims 1-8, 10-45 and 61-63 are allowed. The Office Action objects to claims 55-60 as depending upon rejected base claims but states that these claims would be allowable if rewritten in independent form. Applicant believes that all of the claims in the Application are allowable over the cited art and therefore declines the opportunity to amend claims 55-60 at this time.

Objections to the Drawings

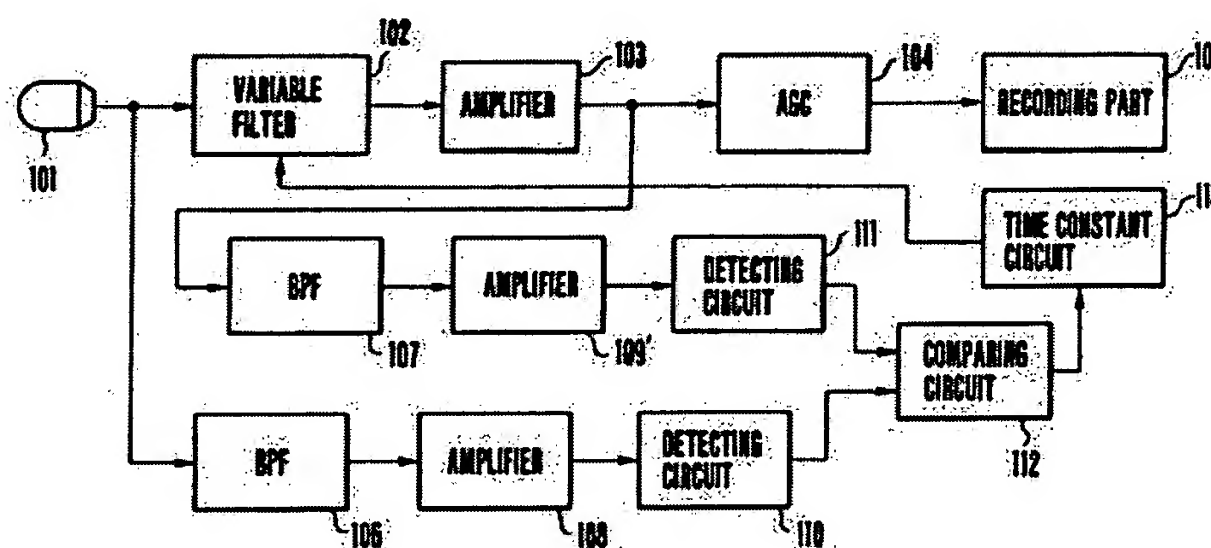
The Office Action objects to the drawing sheets 1 and 2 as requiring legends identifying Figures 1A-1E as prior art. In this Amendment, Applicant provides corrected drawings in compliance with 37 C.F.R. 1.84(c) as required by the Examiner.

Claim Rejections under 35 U.S.C. §102

In the Office Action, the rejections of claims 46-47 and 50-54 rely on various elements depicted in Fig. 20 of Hori. Applicant respectfully submits that Hori fails to disclose each and every element of the claims and, consequently, Hori cannot support a §102 rejection of the claims. For example, claim 46 requires an input signal, a feedback signal, a comparison stage for providing as a comparison signal a comparison of the input signal and the feedback signal, and a tracking filter responsive to an output of the comparison stage for producing an output in accordance therewith. Hori does not have a feedback signal and does not teach a comparison

stage for providing as a comparison signal a comparison of an input signal. Furthermore, Hori cannot be viewed as having both a feedback signal that is compared to an input signal and an output of a comparison stage to which a tracking filter is responsive. Cited Figure 20 in Hori is reproduced below for the convenience of the Examiner. It will be appreciated that Hori is directed to reduction of low frequency noise signals generated in microphones. Hori teaches a microphone input that is separated into low and middle frequency components by band-pass filters 106 and 107. The levels of high and low components provided by corresponding detectors 110 and 111 are compared in comparing circuit 112 which generates a signal for controlling the slope (see fig. 17) or cutoff frequency (see fig. 18) of variable filter 102 (col. 10, line 64 - col. 11, line 25).

FIG.20



The Office Action suggests that an input to Hori's variable filter 102 teaches a feedback signal (Office Action at page 2, item 3). However, Hori cannot be said to teach the required the feedback signal *that is compared with an input signal in a comparison stage* required in claim 46. In Fig. 20 of Hori one input to variable filter 102 is an input from microphone 101 and cited in the Office Action as teaching the input of claim 46; the other input is received from a comparing circuit 112 through time constant circuit 113 and it is clear from Fig. 20 and from descriptions of variable filter 102 in Hori that this latter signal is not compared to the input signal from the microphone 101 (see Fig. 20 and col. 9 lines 2-22 and 47-53). Therefore, the signal

connecting constant circuit 113 and variable filter 102 in Fig. 20 cannot be construed as a feedback signal. Therefore, Hori cannot be said to teach or suggest a feedback signal and, more particularly, Hori cannot be said to teach a feedback signal that is compared with an input signal in the comparison stage as required by claim 46.

No other candidates for the recited feedback signal are taught in Hori. Hori's comparing circuit 112 compares mid-frequency and low-frequency bands of an input signal from microphone 101 (col. 9, lines 54-57). Applicant observes that the connection between amplifier 103 and band pass filter 107 cannot be construed as a feedback signal because "[a]s shown in FIG. 20, the mid-frequency component in the audio signal *which is not varied* in frequency characteristic by the variable filter 102 *is extracted by the BPF 107* from the audio signal amplified by the amplifier 103. (Hori at col. 11, lines 57-60). Thus, in Hori, the signal path that includes band pass filter 107, amplifier 109' and detecting circuit 111 passes only mid-frequency band components of the signal that are used to control filtering of low-frequency band components through variable filter 102. Therefore, no feedback path or signal exists in Hori.

Finally, Applicant notes that the Office Action attributes the required feedback signal and output of the comparison stage to the same signal in Hori. Applicant respectfully submits that such attribution is necessary only because Hori does not teach *both* an output from a comparison stage to which a tracking filter responds *and* a feedback signal that is compared with the input signal as required by claim 46. Consequently, the rejection is improper and should be withdrawn because Hori cannot support a §102 rejection of claim 46 if each and every element is not taught in the reference.

Applicant respectfully submits that, for at least the reason that dependent claims 47, 50-54 and 64 are ultimately dependent of claim 46, these claims are also allowable.

Claim Rejections under 35 U.S.C. §103(a)

Dependent claims 48-49 stand rejected as unpatentable over Hori in view of Strahm. Initially, Applicant respectfully submits that, for at least the reason that dependent claims 48-49 ultimately depend from claim 46 and that these claims are allowable for at least the reasons that claim 46 is allowable. Furthermore, Applicant respectfully submits that Strahm does not cure the

deficiencies in Hori noted above and also submits that the energy level detector cited in Strahm controls an automatic gain control system that is not relevant to the presently claimed invention.

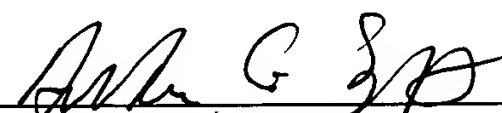
Claim 48 and 49 require that the output of a tracking filter is representative of a power estimate. Strahm merely teaches that an input filter can be added before a prior art "amplitude level detector 16" to achieve an "energy level detector 22" (see figs. 1, 2). Applicant submits that the objectives of Strahm in controlling a variable gain device 12 bear no relevance to the objectives of the presently claimed invention and that no motivation could have existed to combine Hori with Strahm.

Therefore, for at least these reasons, the rejections of claims 48-49 should be withdrawn.

CONCLUSION

All objections and rejections having been addressed, and in view of the foregoing, all remaining claims are believed to be in form for allowance, and such action is hereby solicited. The Examiner is kindly requested to contact the undersigned at the telephone number listed below if any points remain in issue which may be best resolved through a personal or telephone interview.

Respectfully submitted,

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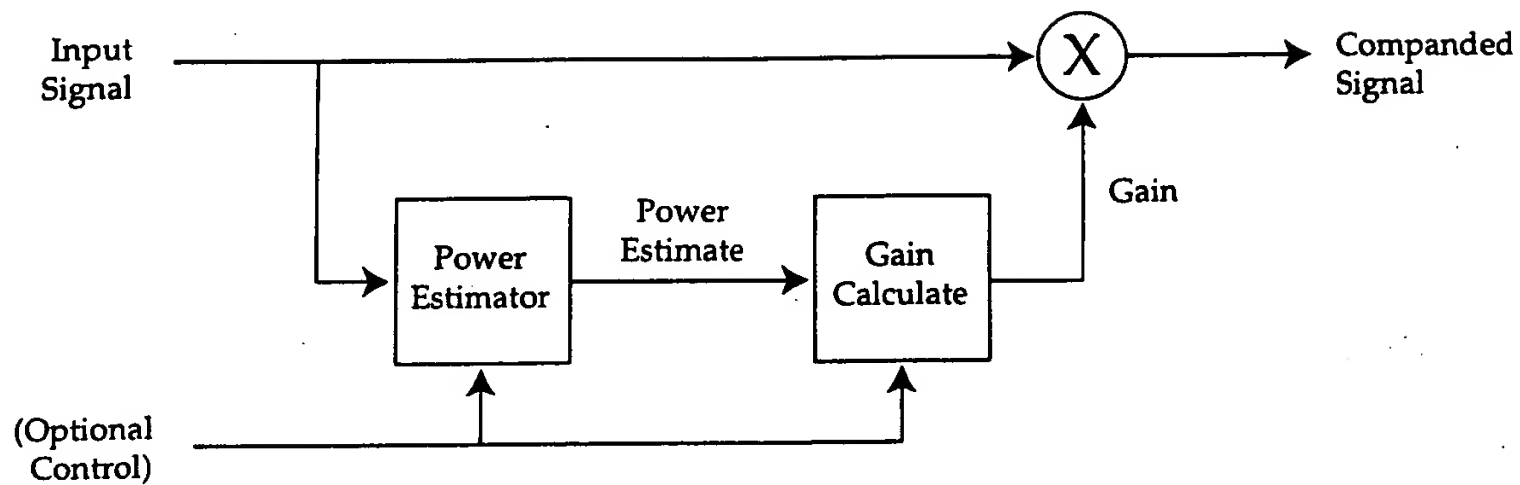


FIG. 1A — Prior Art

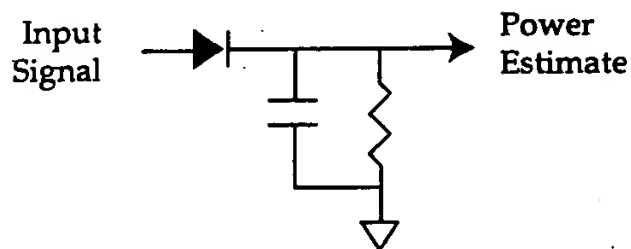


FIG. 1B — Prior Art

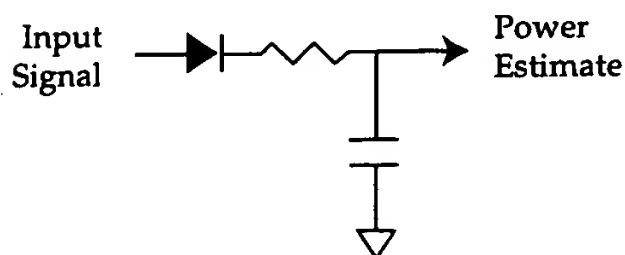


FIG. 1C — Prior Art

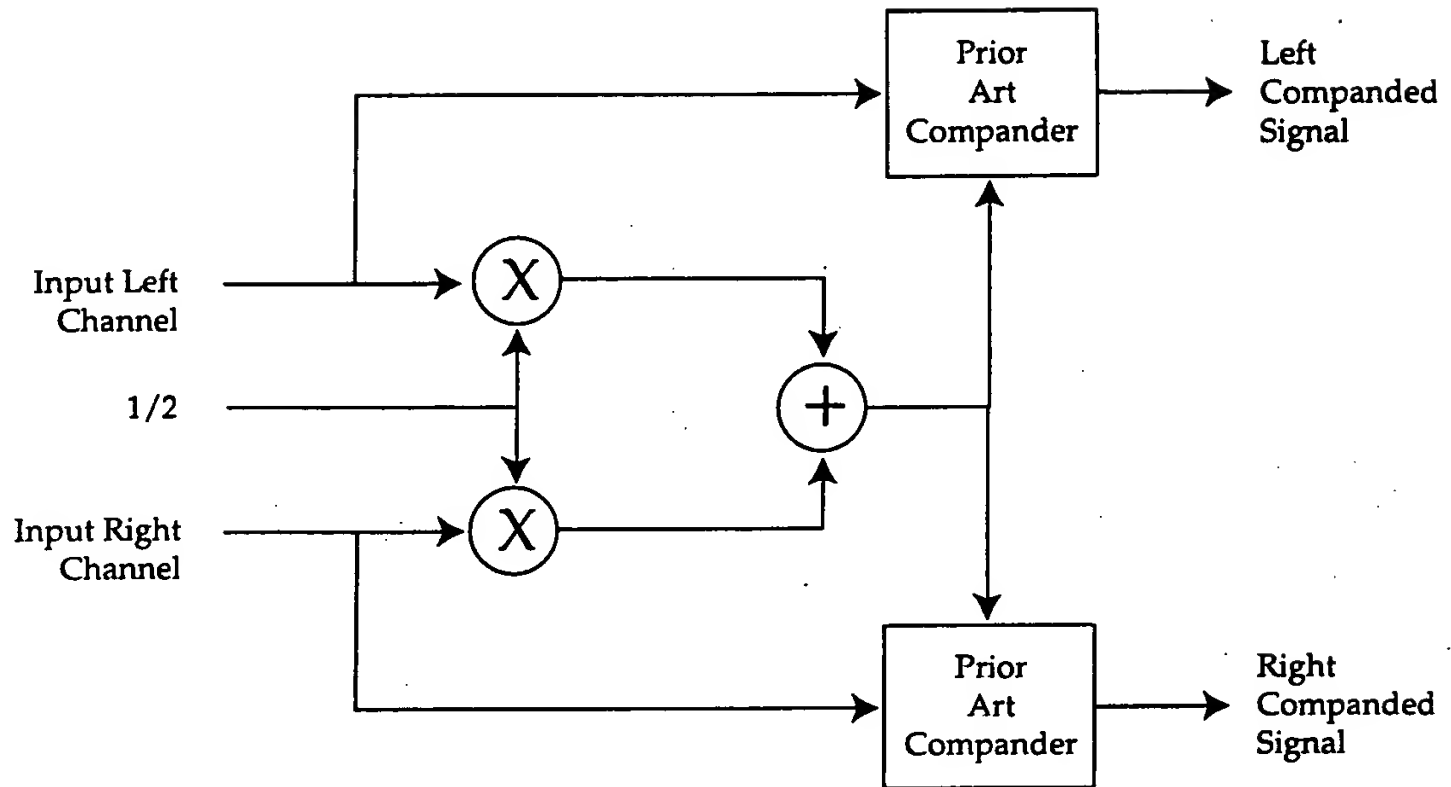


FIG. 1D — Prior Art

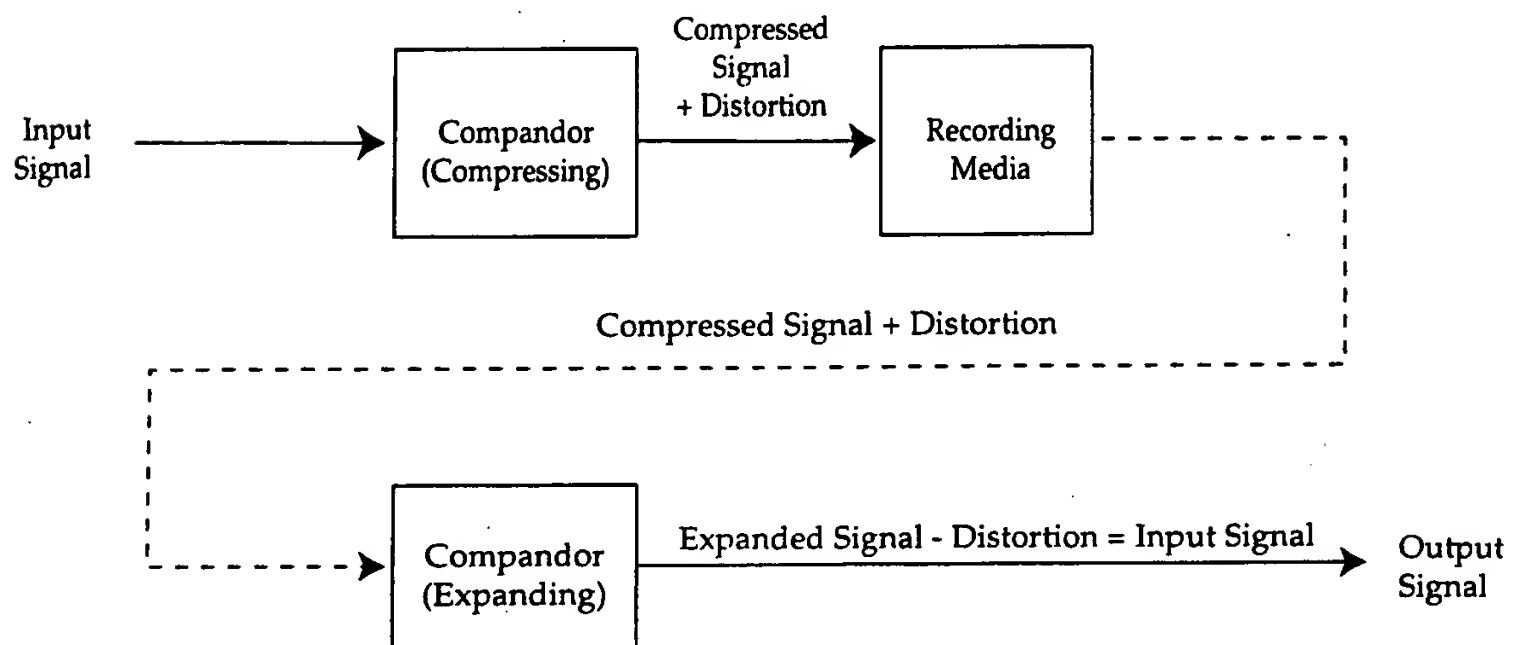


FIG. 1E — Prior Art